



AN ORDINANCE

02-0-0150

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON DECEMBER 27, 2001.

2390 Baker Road, NW	09
3387 Oakcliff Road, NW	10
1175 Osborne Street, SW	12

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on December 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, December 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
2390 Baker Road, NW	09
3387 Oakcliff Road, NW	10
1175 Osborne Street, SW	12

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached
In an amount necessary to recover the costs incurred by the City of Atlanta

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

FEB 18, 2002
MAR 05, 2002



TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Morris Green
Alice Shelton

on 12-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in

LAND LOT 178 OF THE 14TH. DISTRICT OF FULTON COUNTY, GEORGIA, AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH SIDE OF BAKER ROAD, 115 FEET EAST OF THE
POINT OF INTERSECTION OF THE SOUTH OF BAKER ROAD AND THE WEST LINE OF LAND
LOT 178; RUNNING THENCE EAST ALONG THE SOUTH SIDE OF BAKER ROAD 62.5 FEET;
THENCE SOUTH 194.7 FEET; THENCE WEST 62.5 (SIXTY-TWO AND FIVE-TENTHS) FEET;
THENCE NORTH 200 FEET TO THE SOUTH SIDE OF BAKER ROAD AND THE POINT OF BE-
GINNING; BEING IMPROVED PROPERTY HAVING A ONE-STORY FRAME DWELLING ERECTED
THEREON, KNOWN AS 2390 BAKER ROAD, N.W., ACCORDING TO THE PRESENT SYSTEM OF
NUMBERING HOUSES IN THE CITY OF ATLANTA, GEORGIA.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 7, 2001

BY: Dale S. Huggood
Bureau of Neighborhood Conservation. Official Agent
(404) 330-6195
BY: Bill Castings
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Irene Holmes & Reba Victoria Holmes
Fox Worthy, Inc.
Vesta Holdings as
Nominee for Heartwood II, Inc.

on 12-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

~~all that tract and parcel of land~~
~~being and being in Land Lot 213 of the 11th District of Fulton County, Georgia, and~~
more particularly described as follows:

BEGINNING at a point on the north side of Oakcliff Road five hundred thirty-four (534) feet east of the northeast corner of Hawthill School Road and Oakcliff Road; thence east along the north side of Oakcliff Road one hundred eighty-six and four-tenths (186.4) feet; thence north seven hundred ten (710) feet; thence west one hundred eighty-six (186) feet, more or less; thence south seven hundred ten (710) feet, more or less to the point of beginning and being improved property known as 1387 Oakcliff Road, N. E., according to the present numbering of houses in the City of Atlanta, Georgia.

The above described property was set aside to Grantor in a Twelve Months' Support for herself out of the Estate of Samuel Thomas Jones, deceased, at the March, 1956, term of the Court of Ordinary of Fulton County, and this sale is made for the purpose of obtaining funds for the support of said Grantor.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

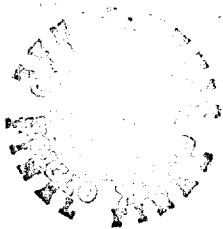
Dated: December 7, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Cartwright
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Irene Parks

on 12-7-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land
Lot 122 of the 14th District of Fulton County, Georgia and more part-
icularly described as follows:

BEGINNING at a point on the north side of Osborne Street
250 feet east of the northeast corner of Osborne Street and McPherson
Avenue; thence east along the north side of Osborne Street 50 feet;
thence north 164 feet; thence west 50 feet; thence south 164 feet to
Osborne Street and point of beginning. Being improved property having
a house thereon and known as No. 1175 Osborne Street, in the City of
Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: December 7, 2001

BY:

Dale S. Haygrove

Bureau of Neighborhood Conservation. Official Agent
(404) 330-6195

BY:

Bill Carter

Assistant Real Estate City Attorney

RCS# 3481
2/18/02
4:51 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-0149 As Amended
02-O-0150
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

MULTIPLE

02-0 -0150

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING,
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS
STRUCTURES, PURSUANT TO ARTICLE III OF THE
ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
December 27, 2001

2390 Baker Road, NW 09
3387 Oakcliff Road, NW 10
1175 Osborne Street, SW 12

ADOPTED BY

☒ CONSENT REFER FEB 18 2002
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 2/4/02

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred to
CD/HR 02/18/02
Chela Mendez CD/HR

Committee Date Chair Action: Fav, Adv, Hold (see rev. side) Other: Members Refer To
CD/HR
Chela Mendez
Fav, Adv, Hold (see rev. side)
Members
Chela Mendez
Fav, Adv, Hold (see rev. side)
Other:
Members
Refer To

Committee Date Chair Action: Fav, Adv, Hold (see rev. side) Other: Members Refer To
Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
FEB 18 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

CERTIFIED
FEB 18 2002
Rashida Dargatzis Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Shirley Franklin
MAY 9 8 2002